



## MEMORANDUM ENDORSED

HON. SYLVIA O. HINDS-RADIX  
*Corporation Counsel*

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March 25, 2024

#### **VIA ECF**

Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Holmes v. Trapasso, et al.*, 21-CV-10628 (VEC)(GWG)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York assigned to the defense of the above referenced matter. I write on behalf of the parties to respectfully and jointly request that the Court grant (1) a brief adjournment of the settlement telephone conference currently scheduled for April 2, 2024 to April 18, 2024<sup>1</sup> at 2:30 by telephone conference and (2) a sixty day extension of the fact discovery deadline from May 1, 2024 until July 1, 2024. This is the third request for an extension of time to extend the fact discovery deadline.

Pursuant to Section 1E of Your Honors' Individual Practices, the parties further specify that this request also implicates the expert discovery deadlines as well as the deadline to commence summary judgment motion practice. As such, the parties request the deadline for "any party who intends to call an expert witness at trial" to "make an application to enlarge the discovery schedule to allow for expert disclosures" be extended from April 16, 2024 to June 16, 2024 and that the deadline to "request permission to make a summary judgment motion" be extended from May 1, 2024 until July 1, 2024.

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<sup>1</sup> Pursuant to Section 1F of Your Honors' Individual Practices, the undersigned conferred with the Court's deputy to confirm the Court's availability for this date.

The parties have had some discussions and a demand has been provided. However, to afford the undersigned time to obtain authority to respond to the demand and participate in the conference, this adjournment is needed. The extension of the fact discovery deadline will permit the parties to fully explore the possibility of settlement and, if the matter is not resolved, complete discovery.

Accordingly, the parties respectfully and jointly request that the Court grant (1) a brief adjournment of the settlement telephone conference currently scheduled for April 2, 2024 to April 18, 2024<sup>2</sup> at 2:30 by telephone conference and (2) a sixty day extension of the fact discovery deadline from May 1, 20204 until July 1, 2024.

We thank you for your consideration herein.

Respectfully submitted,

/s/ KellyAnne Holohan  
KellyAnne Holohan  
Special Federal Litigation Division

To: **VIA ECF**  
*All counsel of record*

The adjournment of deadlines as set forth herein is approved. Additionally, the application to adjourn the settlement conference to April 18, 2023, at 2:30 p.m. is granted. The dial-in information will be supplied to counsel by email. Plaintiff's counsel is reminded that they are responsible for ensuring that the jail is aware of the time and date of the conference, for arranging logistically for the plaintiff to dial in (or to patch plaintiff in through a 3-way call), and for seeking any written order that may be required for the plaintiff's participation. Defendants' counsel shall assist plaintiff's counsel in these efforts.

So Ordered.

  
GABRIEL W. CORENSTEIN  
United States Magistrate Judge

March 25, 2024

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<sup>2</sup> Pursuant to Section 1F of Your Honors' Individual Practices, the undersigned conferred with the Court's deputy to confirm the Court's availability for this date.